

Message Text

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16-44

ACTION EB-07

INFO OCT-01 ARA-06 ISO-00 SSO-00 NSCE-00 INRE-00 CIAE-00

COME-00 DODE-00 DOTE-00 FMC-01 INR-07 NSAE-00 CG-00

OFA-01 DLOS-04 SP-02 L-03 H-02 /034 W

----- 032030

O 082000Z JAN 76

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC IMMEDIATE 6489

LIMITED OFFICIAL USE SANTIAGO 0164

C O R R E C T E D C O P Y (TEXT GARBLED THROUGHOUT)

EO 11652: NA

TAGS: EWWT, CI

SUBJ: DISCRIMINATING SHIPPING PRACTICES

REF: STATE 003349

1. EMBASSY LONG AWARE OF POSSIBLE PITFALL ADVERTED TO
IN PARA 2 REFTEL. OUR OBJECTIVE IS NOT REPEAT NOT TO
NEGOTIATE A "FINDING" BY MINTRANSPORT, BUT RATHER TO ENSURE
THAT THIS GOC MINISTRY MAKES ITS OWN FINDING IN ACCORDANCE
WITH TERMS OF RECENT CHILEAN DECREE LAW 1297.

2. IN ORDER TO AVOID ANY SEMBLANCE OF SEEKING BILATERAL
UNDERSTANDING, EMBASSY ASKED PRUDENTIAL REP (GORMAN) TO
STIMULATE AGENTS' COMMITTEE TO APPROACH MINTRANSPORT AND TO
ASK WHAT MINTRANSPORT WAS DOING TO GIVE EFFECT TO DL 1297.
AGENTS REPORTEDLY FOUND MINISTRY IN DISARRAY, WITH NO ONE
EXACTLY SURE WHAT DL 1297 REQUIRED THEM TO DO. ECON COUNSELOR
ACCORDINGLY HAS ARRANGED APPOINTMENT WITH FONMIN (LACKINGTON)
FRIDAY NINTH, 11:30 A.M. TO DISCUSS POSSIBLE WAYS TO STIMULATE
ACTION BY MINTRANSPORT.

3. LACKINGTON ALREADY UNDERSTANDS USG POLICY REGARDING
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AVAILABILITY OF COMMERCIAL CARGOES TO ALL CARRIERS IN A

PARTICULAR TRADE AND WANTS TO SETTLE THIS MATTER ONCE AND FOR ALL. HE MAY NEED SOME ASSISTANCE IN FORMULATING HIS OWN APPROACH TO MINTRANSPORT, ODEPLAN (PLANNING ORGANIZATION), MINFIN AND OTHER CONCERNED GOC AGENCIES, IN THE FORM OF LANGUAGE SETTING FORTH USG POSITION. WE MIGHT BE ABLE TO GIVE THIS TO HIM INFORMALLY. HOWEVER REQUIRED PROMPT ACTION MIGHT DEPEND UPON SOME SUBSEQUENT MORE FORMAL DEMARCHEON OUR PART, EITHER ORAL OR AS AN AIDE-MEMOIRE.

4. WE WOULD APPRECIATE RECEIVING FROM DEPARTMENT BY FRIDAY NINTH LANGUAGE STATING, IN EFFECT, THAT CHILEAN FLAG VESSELS, IN ACCORDANCE WITH LONG ESTABLISHED U.S. POLICY, ENJOY IN U.S. PORTS EQUAL ACCESS WITH U.S. VESSELS TO COMMERCIAL CARGOES. LANGUAGE MIGHT OBSERVE, IF APPROPRIATE, THAT IF COMMERCIAL AND ECONOMIC REALITIES SO DICTATED, THERE WOULD BE NO LEGAL OBSTACLE TO ACCESS BY CHILEAN FLAG VESSELS TO UP TO A VERY HIGH PERCENTAGE OF U.S. COMMERCIAL EXPORTS BOUND FOR CHILE AT ANY GIVEN TIME. THIS WOULD TAKE CARE OF MINTRANSPORT NEED FOR ASSURANCE THAT CHILEAN SHIPS HAVE ACCESS UP TO 50 PERCENT OF COMMERCIAL CARGOES, WHILE NOT IMPLYING IN ANY WAY THAT USG INTERESTED IN FORMALIZING A 50-50 SPLIT.

POPPER

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Margaret P. Grafeld
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